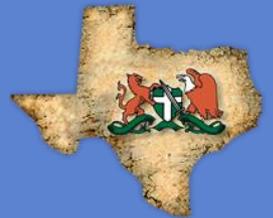


# TEX-ABOTA's Proposed Amendment to Texas Government Code § 82.037 "Oath of Attorney"



Presented to the Texas Supreme  
Court Advisory Committee



# ABOTA's Mission of Civility and Professionalism



- The purpose of TEX-ABOTA is “to elevate the standards of integrity, honor, and courtesy in the legal profession.”

- ABOTA Code of Professionalism:

*"As a member of [ABOTA], I shall ... Always remember that my word is my bond and honor my responsibilities to serve as an officer of the court ... Resolve matters and disputes expeditiously, without unnecessary expense, and through negotiation whenever possible ... Be respectful in my conduct toward my adversaries ... Honor the spirit and intent, as well as the requirements of applicable rules or codes of professional conduct and encourage others to do so."*

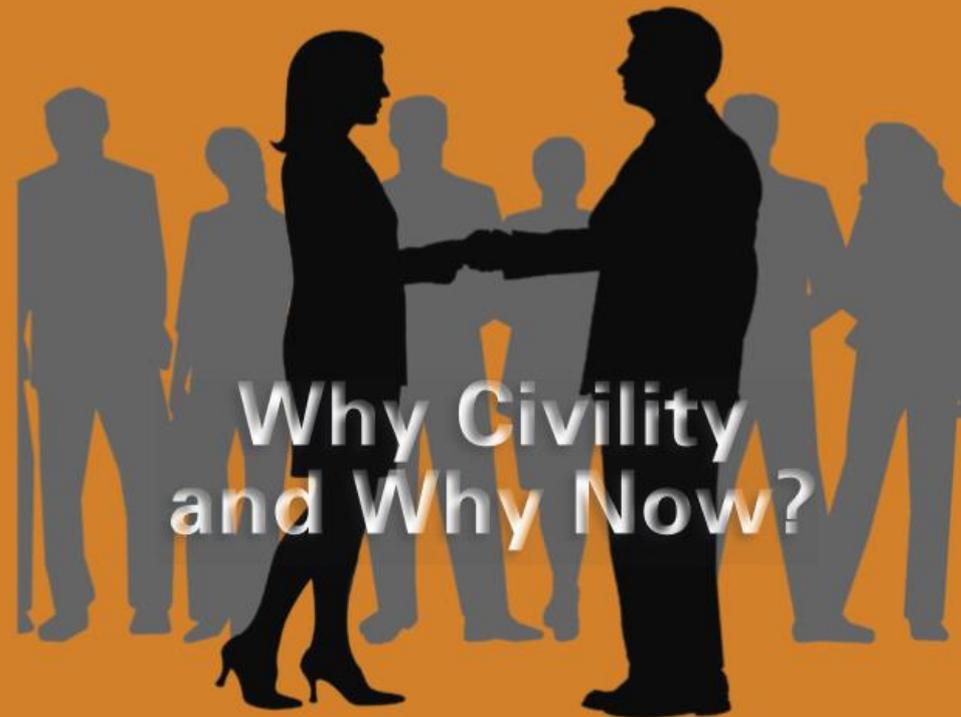


# TEX-ABOTA's Advocacy for Civility in the Practice of Law

- ABOTA recently produced a new program called Civility Matters, an effort to promote the first specific purpose in ABOTA's constitution: "To elevate the standards of integrity, honor and courtesy in the legal profession."
- ABOTA created "Civility Matters" with the hope that the program would be presented at all ABOTA educational activities, other bar and professional programs, and, especially, in every law school in the country.

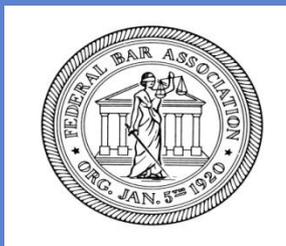
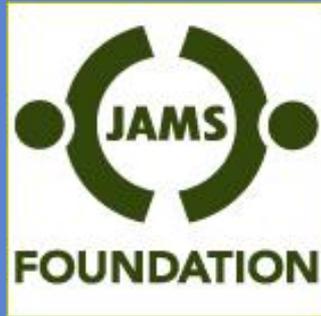
## CIVILITY MATTERS

A Publication of the American Board of Trial Advocates

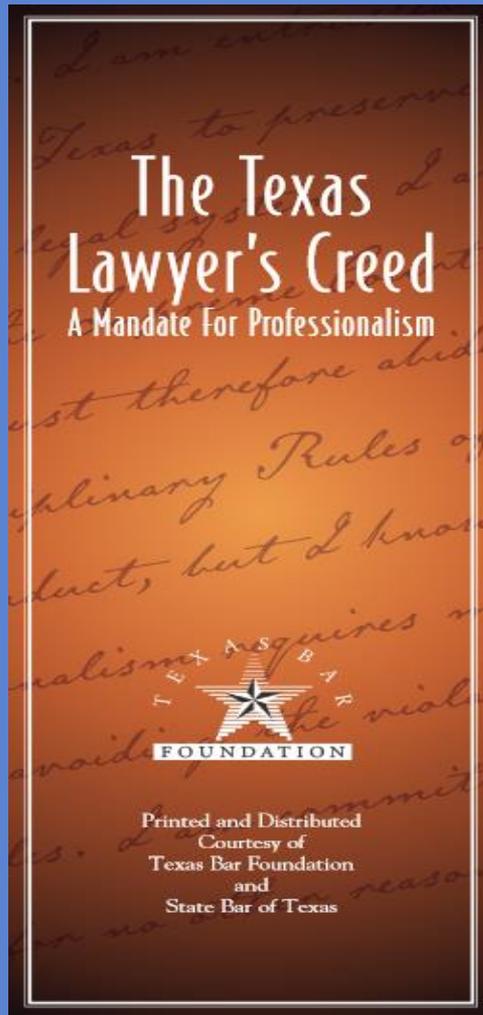


Endorsed by the American Inns of Court

# Broad Support for Civility Matters



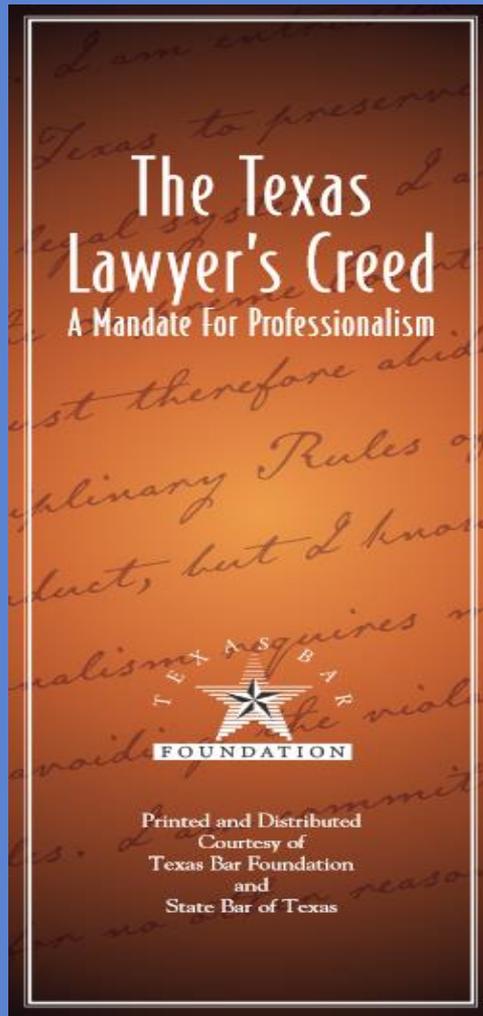
# The Texas Lawyer's Creed – Order of Adoption



- “The conduct of a lawyer should be characterized at all times by honesty, candor, and fairness.”
- “The Supreme Court and the Court of Criminal Appeals are committed to eliminating a practice in our State by a minority of lawyers of abusive tactics.”
- “The abusive tactics range from lack of civility to outright hostility and obstructionism.”



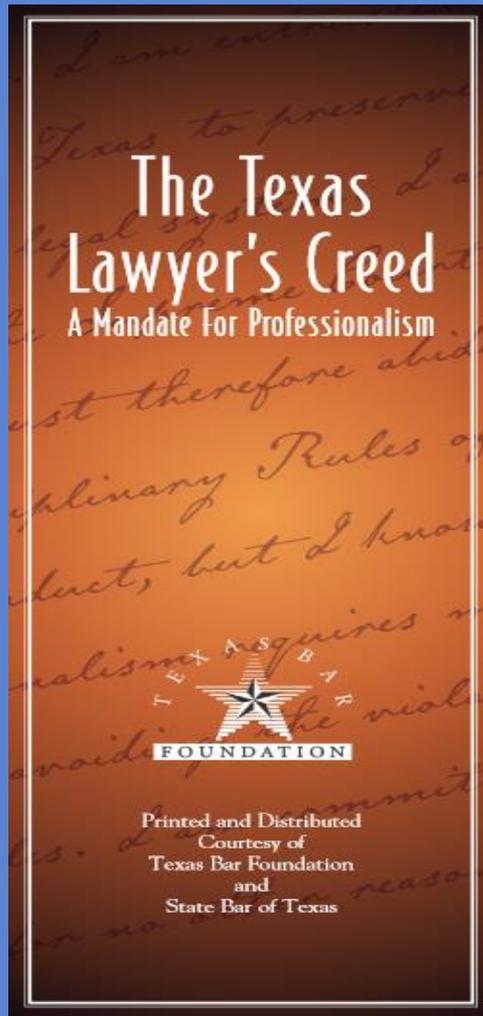
# The Texas Lawyer's Creed – Commitments



- "A lawyer owes to the administration of justice personal dignity, integrity, and independence. A lawyer should always adhere to the highest principles of professionalism."
- "I am passionately proud of my profession. Therefore, my word is my bond."
- "I will advise my client that civility and courtesy are expected and are not a sign of weakness."
- "I will treat adverse parties and witnesses with fairness and due consideration."



# The Texas Lawyer's Creed – Commitments

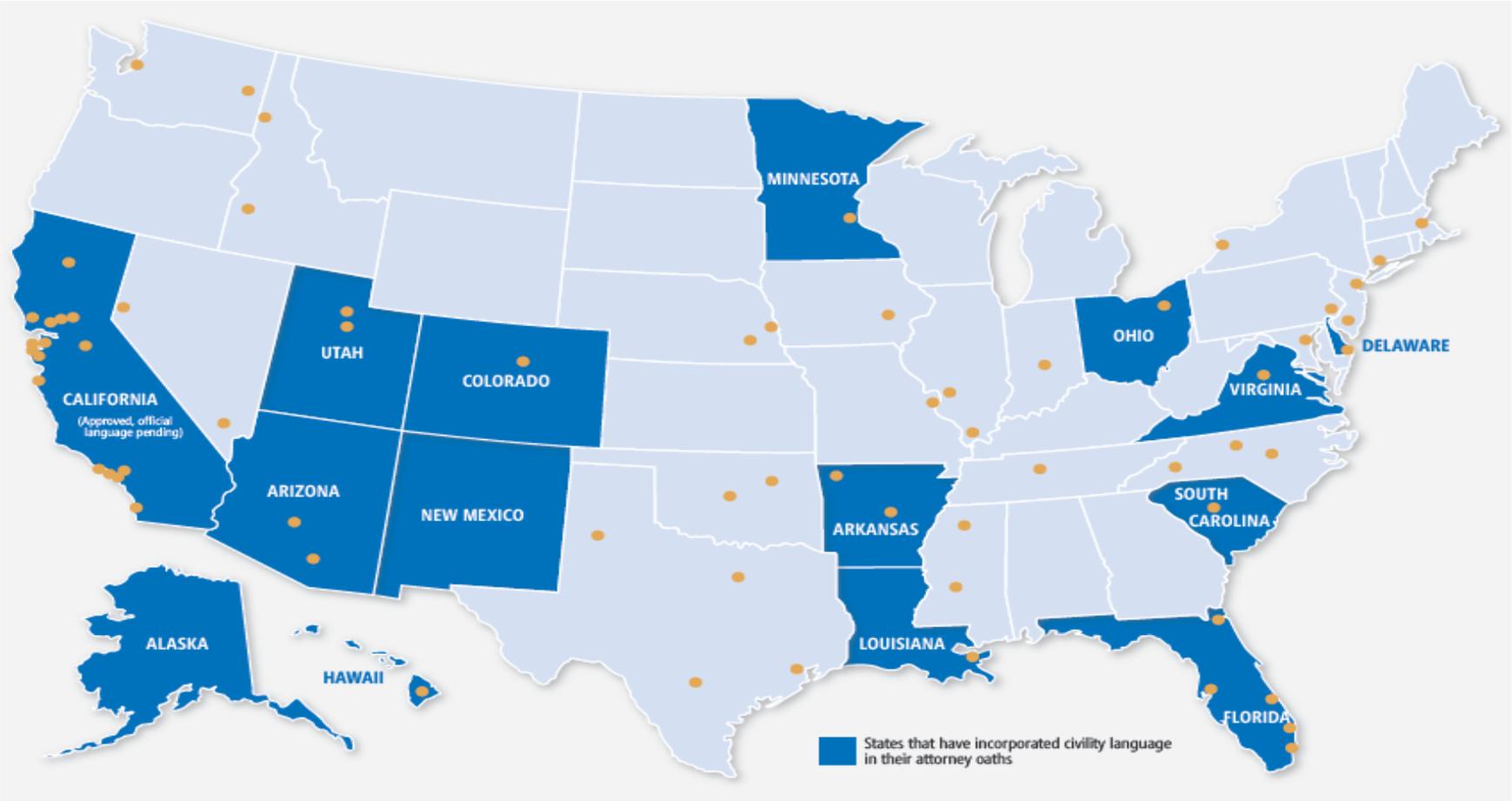


- "A lawyer owes to opposing counsel ... courtesy, candor, cooperation, and scrupulous observance of all agreements and mutual understandings."
- "I will be courteous, civil, and prompt in oral and written communications."
- "I will treat counsel, opposing parties, the Court, and members of the Court staff with courtesy and civility."



# National Movement to Include Civility in the Attorney Oath

## Civility Oaths



As of April 8, 2014

# National Movement to Include Civility in the Attorney Oath

- South Carolina, Florida, Louisiana, and Arkansas: *"To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court, but also in all written and oral communications."*
- New Mexico: *"I will maintain civility at all times."*
- Utah: *To "discharge the duties of an attorney ... with honesty, and fidelity, professionalism, and civility."*



# Proposed Bill



By: \_\_\_\_\_ .B. No. \_\_\_\_\_

**A BILL TO BE ENTITLED  
AN ACT**

relating to the oath of a person admitted to practice law in the State of Texas.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

**SECTION 1.** Section 82.037, Government Code, is amended to read as follows:

# Proposed Bill



(a) Each person admitted to practice law shall, before receiving a license, take an oath that the person will:

(1) support the constitutions of the United States and this state;

(2) honestly demean **himself oneself** in the practice of law; ~~and~~

(3) discharge the attorney's duty to his client to the best of the

attorney's ability; and

(4) conduct **himself oneself** with integrity and civility in dealing

and communicating with all parties.

# Proposed Oath



"I, \_\_\_\_\_,  
do affirm that I will support the  
Constitution of the United States,  
and of this State; that I will honestly  
demean myself in the practice of  
law, that I will discharge my duties  
to my clients to the best of my  
ability, *and that I will conduct  
myself with integrity and civility in  
dealing and communicating with  
all parties.*"



# Conclusion



TEX-ABOTA respectfully seeks the input and support of the Texas Supreme Court Advisory Committee for this proposal.

Thank you.

